

CORRESPONDENCE

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(Continued from page 213)

reputation as one of the most up-to-date and relevant dioceses in the country.

The pill that is most bitter to swallow in this respect is that Archbishop Cody considers himself a liberal. At the Council he voted for the principle of collegiality, while at the same time he voted again and again against an irrelevant, authoritarian Church. How can this be reconciled with the course of action he has undertaken in Chicago?

To many people the greatest failure of the post-conciliar Church has been not merely its inability to put into practice many of the basic principles which came out of the Council, but even more so its apparent unconcern in many places with even the beginnings of implementation. In the area of decentralization of authority Chicago takes its place as a prime example.



Photo by John S. Murray

In his own words - the rare blend of logic, learning, wit, and genuine concern for all who sought access to his thought

LETTERS OF C. S. LEWIS

Edited, with a Memoir by
W. H. Lewis

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Laymen. I feel have the right and the responsibility to continually point out areas in which the Church is not responding to the challenge of the Council to update the Church. I commend Mr. Schiltz for doing just that. He who has ears to hear, let him hear.

WILLIAM M. TAYLOR

"Bombers for Portugal"

Buffalo, N.Y.

To the Editors: Upon receiving my copy of the October 21st issue, I noted your editorial entitled, "Bombers for Portugal." Since I was the attorney who tried this case for the United States, this is of particular interest to me and since I am a long time subscriber and rooter for COMMONWEAL, I hope that you will take my comments in the spirit in which they are given, that is, to attempt to give you as accurate a picture as possible regarding the events and background concerning this case.

The trial ended on Thursday, October 13, 1966, with the acquittal of both defendants. After rendering their verdict the jurors informally discussed their decision with the newspaper men and spectators who were in the courtroom. I have been informed that the question of CIA involvement hardly entered into their deliberation at all.

There was another indicted defendant, Gregory Board, not present at the trial, who had fled the country. Judge Henderson charged the jury that it was his duty to obtain the licenses and not the obligation of the two men on trial. Therefore, the two defendants tried were tried as conspirators and aiders and abettors. The jury simply felt that the Government had failed to show guilty intent on the part of these two men.

Enclosed is a copy of a news story by Orr Kelly, of the *Sunday Star*, Washington, dated October 16. Mr. Kelly was present during almost all phases of the trial and I believe that his wind-up story concerning this situation fairly presents the trial and the part that the CIA played. As Mr. Kelly points out in his third last paragraph, "While there is some indication of bureaucratic fumbling along the way, it now appears that the

the time of the first CIA cable to the arrests, a little over three months later."

The CIA, as you know, has no enforcement function and its role was merely to pass on whatever information they had to other agencies.

It should also be noted that the information was gathered from various sources, some of unknown reliability. The Customs Agency is the enforcing agency here and, to their credit, when they did begin to act on August 20, 1965, the arrests were made within a three-week period.

I feel that in your editorial there are a few misstatements of fact, which I should like to point out. In the first paragraph you state: "The accused insist that the exporting of the planes was done with the cooperation of the CIA. The CIA denies this." Neither defendant took the stand in this case and the only statement made of CIA involvement was made by the attorney for one of the defendants. The only person who testified concerning any CIA connection was the former consultant. He testified that Gregory Board told him in March 1965 that he had the tacit consent of the United States Government and the CIA. However, in cross-examination, he admitted that when he first talked to Customs Agents in September 1965, shortly after the arrest, he did not make that claim at that time. It is not disputed that later in September 1965 he talked to an officer in the Air Force Intelligence and said he believed the CIA was involved.

My view of the record is that this is the only connection with testimony of any kind involving the CIA. This man's discussions with Air Force Intelligence occurred, for the most part, after the arrest of the defendants in September 1965. Since he was a writer of aircraft subjects, he, in a regular fashion, talked to various Air Force Intelligence officers and did so during the Spring and Summer of 1965. During this period of time, he testified there were aircraft going to Portugal, but he said he discussed it with them as an aviation problem not as a political one.

In connection with the fact that the

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CIA knew about this on May 25, 1965, that is not correct. As you will see from Mr. Kelly's article, this information was not acquired by a source in Lisbon until June 9th and then distributed by the CIA on June 10, 1965. As you will note from his further discussion of the various Intelligence cables received, as the CIA received the information, they promptly sent it out.

Your statement that the flights continued until early September is not correct. The last flight left Tucson on August 18, 1965 and it cleared Canada on August 20, 1965.

It is stated in your editorial: "No attempt was made to immediately halt the flights in question." Because of the freedom of travel which the United States citizen and inhabitant has, it is not a difficult thing at all to fly an aircraft from the United States to Canada, Mexico or any other place in the world if you have the know-how and the gasoline. As the witness you described as the "former consultant" testified; he knew that it is a simple thing to fly a plane out of the United States by just getting in it and flying it away. To make this kind of traffic impossible would require many additional Customs and other agents and a thorough-going police state, which is something no American wants.

JOHN T. CURTIN
United States Attorney

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Reply

Our editorial focussed on government laxness, not the CIA role. Only Mr. Curtin's correction of the dates is relevant to this; it pares the time period in question by about two weeks. Mr. Kelly's opinion that "reasonable dispatch" means three months and Mr. Curtin's view that any faster law enforcement would demand a police state seem highly fanciful. Let someone try flying seven B-26s to Cuba—then we would see what "dispatch" can mean!

THE EDITORS

Correction

Chicago, Ill.

To the Editors: I would appreciate it if you would correct the printing error on p. 87 of the Oct. 21st issue in which a letter of mine appeared. The sentence originally read: "The answer given by Rahner *et alii* is circular in so far as they claim to know in faith that this is the Word of God and therefore man must be able to recognize it in an UNarbitrary way . . ."

The remainder of the paragraph (the elided section) as well as earlier parts of the letter reveal the contradiction contained in the misprinting. The point is that the position of Rahner *et alii* is circular because they claim an authentic truth which is unauthenticated outside of the faith experience; it is authentic because it meets the canons of true knowing from within—thus unarbitrary; it is unauthenticated in so far as ordinary demonstration and justification appeal to something other and more fundamental. The epistemological problem here is very old of course. Aristotle formulated it in the final chapter of the *Posterior Analytics* when raising the question of how we demonstrate first principles.

Also and less important: Malevez Alfaro is (as far as I know) a non-entity; I was referring to two theologians: Leopold Malevez and Juan Alfaro. Finally, Alltäglickeit without the umlaut ("") is correctly rendered Alltaeglichkeit.

JAMES G. HART
Divinity School,
University of Chicago

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